

EXHIBIT D

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| In re Terrorist Attacks on September 11, 2001 | 03-md-1570 (GBD)(SN) ECF Case |
| This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i> | 15-cv-9903 (GBD) (SN) ECF Case |

DECLARATION OF ANTHONY CIARNELLA

I, Anthony Ciarnella, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. At the time of the terrorist attacks of September 11, 2001, I worked as a Vice President and Manager of Customer Service with Bank of America. I had been employed with Bank of America since October of 1977. My office was located on the 10th Floor of the World Trade Center's North Tower.

4. On the morning of September 11th, I had been working in my office when the first passenger jet, American Airlines Flight 11, struck the upper section of the North Tower.

5. I left my office and entered a stairwell to escape from the building along with other bank employees. I encountered many people crowded into the stairwell who were also attempting to escape

from the upper floors of the building. The scene was very chaotic and the stairwell began to fill with water as the building's sprinkler system had been activated. People were pushing and shoving in the stairwell in an attempt to quickly get out of the building. As I descended the stairs, I fell to the ground due to the wet steps and people pushing to escape the building. I suffered numerous injuries to my left shoulder, my left wrist, my neck, and my back.

6. I struggled to get to my feet after my fall. I continued down the stairwell until I reached the lobby area of the North Tower. In the lobby area of the North Tower the scene looked like a war zone. I saw people who had been killed, those who had been burned beyond recognition, and others who had been severely injured by the blast in the North Tower.

7. I left the lobby area of the North Tower and I exited onto the street level through 2 World Trade Center. As I entered the street, I saw the second passenger jet, United Airlines Flight 175, collide with the upper section of the South Tower. I saw debris falling from the Towers that struck and killed innocent people, and I saw body parts all over the area. I also witnessed the horrific scenes as people who were trapped in the upper sections of the WTC jumped to their deaths.

8. As I ran to escape from the chaos and carnage at the WTC, I became engulfed by a thick cloud of smoke, chemicals, and falling debris as the South Tower collapsed. I inhaled massive quantities of these substances into my lungs and airways, and my eyes, nose, and throat burned from the exposure to these harmful substances in the air.

10. Despite my numerous injuries and now covered in white debris, I traveled north in an effort to escape the area. An undercover police officer in a school bus saw me and gave me a ride to the train station. At around 6 pm, I exited the train at Hazlet Station and police officers drove me to Bayshore Hospital.

11. I received initial treatment for my various injuries at Bayshore Hospital, and they placed me in a decontamination area to clean away the debris on my clothes and body.

12. As a result of these terrorist attacks, I suffered the following injuries¹ on September 11, 2001: an injury to my left shoulder², (including a torn rotator cuff that later required arthroscopic surgery to repair), an injury my left hand³, a herniated disc in my neck⁴, and bulging discs in my back⁵. I have received several epidural injections and trigger point injections in my neck, back, and wrist over the subsequent years to alleviate my pain following these injuries. Due to the large quantities of dust, smoke, chemicals, toxins, and building debris that I inhaled during the above events, I further developed asthma⁶, chronic sinusitis⁷, gastroesophageal reflux disease (GERD)⁸, as well as obstructive sleep apnea⁹.

13. Due to the horrific events that I experienced on 9/11, my doctors further diagnosed me with depression, anxiety, and post-traumatic stress disorder¹⁰. Due to these conditions and my extreme anxiety, I have not been on an airplane since the 9/11 terror attacks. I am unable to be around large crowds or even look at low flying airplanes without experiencing an emotional attack. I am haunted by the visions of the events of 9/11 to this day.

¹ See, 9/11 Injury Records of Anthony Ciarnella (CIARNELLA_MEDS_0001), attached hereto as Exhibit B, at 0001-0031.

² *Id.* at 0003, 0016, 0020-0022, 0025, and 0028.

³ *Id.* at 0005, and 0010.

⁴ *Id.* at 0003, 0011, and 0021-0023.

⁵ *Id.* at 0003, 0005, 0010-0011, and 0021-0023.

⁶ *Id.* at 0001, 0010, 0014, 0016-0017, 0019-0020, 0022, 0024-0025, and 0028.

⁷ *Id.* at 0001, 0010, 0014, 0025, 0028, and 0030.

⁸ *Id.* at 0001, 0016, 0019, 0022, 0024, and 0028.

⁹ *Id.* at 0002, 0007-0009, 0014, 0017, 0019, 0025, and 0030.

¹⁰ *Id.* at 0003, 0006, 0010-0012, and 0014.

14. Many of my physical and emotional injuries and conditions from 9/11 have been confirmed by the World Trade Center Health Program¹¹.

15. I sought and continue to seek medical attention for my physical and emotional injuries caused by these terrorist attacks. Attached as Exhibit B to this Declaration is a true and correct copy of my select relevant records confirming my physical and emotional injuries following the September 11, 2001, terrorist attacks.

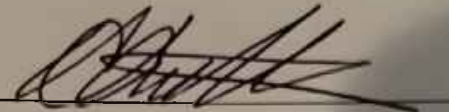
16. I previously pursued a successful claim (VCF Number 0003364) through the September 11th Victim Compensation Fund (VCF) specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

¹¹ *Id.* at 0001-0002.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is

true and correct.

DATED this 8th day of October 2023.


Declarant Anthony Ciarnella

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**